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Attorneys for Defendant TVT Music Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CHRISTOPHER BRIDGES p/k/a LUDACRIS, :
USHER RAYMOND IV p/k/a USHER, :
DISTURBING THA PEACE ENTERTAINMENT, :
INC., and FAST PACE, INC., :
:
Plaintiffs, :
:
-against- :
:
TEEVEE TOONS INC., TVT RECORDS LLC, :
TEEVEE TOONS INC. d/b/a TVT RECORDS, :
TVT MUSIC INC. d/b/a TVT MUSIC :
PUBLISHING, BME ENTERPRISES LLC, BME :
RECORDINGS LLC, and JONATHAN SMITH :
p/k/a LIL JON, :
:
Defendants. :
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Civil Action No.
07 CV 10369 (DAB)

**NOTICE OF MOTION TO
DISMISS AND FOR MORE
MORE DEFINITE STATEMENT
PURSUANT TO FED R. CIV. P.
12(B)(6) AND 12(E)**

To: Christine Lepera, Esq.
Mitchell Silverberg & Knupp LLP
12 East 49th Street, 30th Floor
New York, New York 10017-1028

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law, the undersigned counsel for defendant TVT Music Inc. hereby move (the “Motion”) this Court before the Honorable Deborah A. Batts, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, at such time as the Court directs, for an order (1) dismissing, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the above-captioned plaintiffs’ (“Plaintiffs”) claims for (i) copyright infringement (First and Second Claims), (ii) declaratory relief regarding copyright ownership and/or authorship (Third, Fourth and Fifth Claims), (iii) unfair competition (Sixth and Eighth Claims) and (iv) unjust enrichment (Eleventh Claim), and (2) compelling Plaintiffs to provide a more definite statement, pursuant to Rule 12(e) of the Federal Rules of Civil Procedure, with respect to Plaintiffs’ claims for (i) copyright infringement (in the alternative to the relief requested above) (First and Second Claims), (ii) declaratory relief regarding copyright ownership and/or authorship (in the alternative to the relief requested above) (Third, Fourth and Fifth Claims), (iii) accounting (Seventh Claim) and (iv) breach of contract and/or implied license (Ninth and Tenth Claims), and for such other and further relief as the Court deems just and proper.

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Dated: New York, New York
August 20, 2008

DREIER LLP

By: /s/ Timothy A. Solomon
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